UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
KE, PENG

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 May 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-10 and 15-41_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-10 and 15-41_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendment, filed on 5/25/04.

This action is final.

2.   Claims 1-10 and 15-41 are pending in this application. Claims 1, 15, 24, 29, and 39 are

independent claims. In the Amendment, filed on 5/25/04, claim 2, 15, 24, 25, 29-32, and 39-41

were amended, and claims 11-14 were canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Keith

(US 6,629,097).

As per claim 1, Keith teaches a method for identifying an individual's personal, human

networking style and capabilities through the use of interactive, software-program games or tools

(col. 16, lines 19-62).

As per claim 2, Keith teaches the method according to claim 1 wherein said computer

software acquires, captures, retrieves information about a person's attitudes, behaviors and

characteristics in relation to human networking with other individuals in an interactive, graphical

form (fig 2. item: concepts, married, fifties).

As per claim 3, Keith teaches the method according to claim 1 wherein said computer software contains design functions for managers to create a desired, networking framework for their subordinates (fig 2).

As per claim 4, Keith the method according to claim 1 wherein said computer software contains analysis and design functions for project management activities (col. 16, 35-46, col. 17, 7-18).

As per claim 8, Keith teaches the method according to claim 1 wherein said computer software connects and displays the network analyses of multiple users within a team, group, department, organization, organizations or community in a graphical display of a multi-user network system (col. 19, lines 51-68, col. 20,lines 1-17).

As per claim 10, Keith teaches a method of claim 1, further comprising for providing guidance on personal, human networking through the use of interactive, computer software games or tools (col. 16, lines 19-62).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 15,17-21, 23, 24, 29-31, 33-36, and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keith (US 6,629,097) in view of Tang et al. (US 5,793,365).

As per claim 24, Keith teaches a method of using a human network model for multiple

users of an organization, where the human network model is displayable through use of a

computer, the method comprising the steps of:

inputting a plurality of information regarding a first user within an organization (col. 18,

lines 8-15);

displaying a first user icon, the first user icon identified with the plurality of information

regarding the first user (col. 19, lines 38-50);

displaying a first icon, the first icon that associated with a first person (col. 42, lines 45-

60);

displaying a second icon, the second contact associated with a second person (col. 19,

lines 51-68);

linking the first user icon with the first icon using a first relationship link for the first

user, the first relationship link associated with relationship currency information with respect to a

personal relationship between the first user and the first person(col. 19, lines 51-68, col. 20, lines

1-18);

linking the first user icon with the second icon using a second relationship link, the

second relationship link associated with relationship currency information with respect to a

personal relationship between the first user and the second person (col. 19, lines 51-68, col. 20,

lines 1-18);

inputting a plurality of information regarding a second user within an organization;

displaying a second user icon, the second user icon identified with the plurality of information

regarding the second user (col. 17, lines 34-50);

displaying a third icon, the third icon associated with a third person (Fig, 6, items: Kiley,

Johanna, Seth, and Rebecca);

displaying a fourth icon, the fourth icon associated with a fourth person (Fig, 6, items:

Kiley, Johanna, Seth, and Rebecca);

linking the second user icon with the third icon using a third relationship link for the

second user, the third relationship link associated with relationship currency information with

respect to a personal relationship between the second user and the third contact (Fig, 6, items:

Kiley, Johanna, Seth, and Rebecca);

linking the second user icon with the fourth icon using a fourth relationship link, the

fourth relationship link associated with relationship currency information with respect to a

personal relationship between the second user and the fourth icon (Fig, 6, items: Kiley, Johanna,

Seth, and Rebecca); and

linking the first user icon with the second user icon using a fifth relationship link, the

fifth relationship link associated with relationship currency information with respect to a

personal relationship between the first user and the second user (Fig, 6, items: Kiley, Johanna,

Seth, and Rebecca).

Tang et al. teaches using contact icons (col. 7, lines 65-58, col. 8, lines 1-25)

It would have been obvious to an artisan at the time of the invention to include Tang's

teaching of contact icon with method of Keith in order allow the user to chat with other users.

As per claim 15, it is rejection with same rationale as claim 24. (see rejection above)

As per claim 17, Keith and Tang teach the method of claim 15. Keith further teaches the

method wherein the relationship currency information is an indication of a perceived level of

mutuality (col. 19, lines 24-38, col. 21, lines 15-27; It is inherent the the person's job or age would provide an indication of level of a person's mutuality).

As per claim 18, Keith and Tang teach the method of claim 15. Keith further teaches the method wherein the relationship currency information is an indication of a perceived level of predictability (col. 19, lines 24-38, col. 21, lines 15-27; It is inherent that the person's job or age would provide an indication of level of a person's predictability).

As per claim 19, Keith and Tang teach the method of claim 15. Keith further teaches the method wherein the relationship currency information is an indication of a perceived level of knowledge (col. 19, lines 24-38, col. 21, lines 15-27; It is inherent that the person's job or age would provide an indication of the amount of knowledge a person has).

As per claim 20, Keith and Tang teach the method of claim 15. Keith further teaches the method wherein the relationship currency information is an indication of a perceived level of power and/or influence (col. 19, lines 24-38, col. 21, lines 15-27; It is inherent that the person's job or age would provide an indication of the amount of power a person has).

As per claim 21, Keith and Tang teach the method of claim 15. Keith further teaches the method wherein the network model can be manipulated by the user graphically in accordance with various user selections (col. 19, lines 24-38, col. 21, lines 15-27).

As per claim 22, Keith and Tang teach the method of claim 21. Keith further teaches the method wherein the various user selections include a plurality of different network spaces (col. 19, lines 8-14).

As per claim 23, Keith and Tang teach the method of claim 21. Keith further teaches the method wherein the network model is displayed on a monitor to the user using the three dimensional computer graphics (fig. 1-D, item "result map space").

As per claim 29, it is rejected with the same rationale as claim 24. (see rejection above)

As per claim 30, Keith and Tang teach the method of claim 29. Keith further teaches wherein the first version of the human contact network is modified to create the second version based on a perceived change in behavior of the first person or of the other persons or based on a perceived change in the personal relationships between the first person and at least one of the other persons (col. 19, lines 24-38, col. 21, lines 15-27; It is inherent that if the person changes his address or his job, the network perspective would change accordingly).

As per claim 31, Keith and Tang teach the method of claim 29. Keith further teaches wherein at least one of the relationship links is indicative of relationship currency information with respect to a personal relationship between the first person and at least one of the other persons (col. 19, line 51-64).

As per claim 33, which is dependent on claim 29, it is of the same scope as claim 17. (see rejection above).

As per claim 34, which is dependent on claim 29, it is of the same scope as claim 18. (see rejection above).

As per claim 35, which is dependent on claim 29, it is of the same scope as claim 19. (see rejection above).

As per claim 36, which is dependent on claim 29, it is of the same scope as claim 20. (see rejection above)

As per claim 39, it is rejected with the same rationale as claim 24. (see rejection above)

As per claim 40, which is dependent on claim 39, it is of the same scope as 30. (see rejection above)

As per claim 41, Keith teaches the system of claim 39, wherein at least one of the relationship links is indicative of relationship currency information with respect to a personal relationship between the first person and at least one of the other persons (col. 19, lines 50-65, col. 20, lines 1-18).

Claims 5-7, 26, 27, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keith (US 6,629,097) in view of Tang et al. (US 5,793,365) further in view of Hirata et al. (US 6,317,739)

As per claim 5, Keith and Tang teach the method according to claim 1, however they fail to teach wherein said computer software contains analysis and design functions for performance management activities.

Hirata et al. (US 6,317,739) teaches a computer software contains analysis and design functions for performance management activities (col. 5, lines 8-31).

It would have been obvious to an artisan at the time of the invention to include Hirata et al.'s teaching with method of Keith and Tang in order to allow user to manage large quantity of data for management use.

As per claim 6, Keith teaches the method according to claim 1, however he fails to teach wherein said computer software contains analysis and design functions for process management activities.

Hirata et al. teaches a computer software contains analysis and design functions for performance management activities (col. 16, 35-46, col. 17, 7-18).

It would have been obvious to an artisan at the time of the invention to include Hirata et al.'s teaching with method of Keith in order to allow user to manage large quantity of data for management use.

As per claim 7, Keith and Tang teach the method according to claim 1, however they fail to teach wherein said computer software contains analysis and design functions for training and development activities.

Hirata et al. teaches computer software contains analysis and design functions for training and development activities (col. 16, 35-46, col. 17, 7-18).

It would have been obvious to an artisan at the time of the invention to include Hirata et al.'s teaching with method of Keith and Tang in order to allow user to manage large quantity of data for management use.

As per claim 32, which is dependent on claim 29, it is of same scope as claim 7. (see rejection above)

As per claim 26, which is dependent on claim 24, it is of the same scope as claim 7. (see rejection above).

As per claim 27, Keith, Tang, and Hirata teach the method of claim 26. Hirata further teaches wherein the training includes network management training based on management objectives of the organization (col. 16, 35-46, col. 17, 7-18).

Claims 25, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keith (US 6,629,097) in view of Tang et al. (US 5,793,365) further in view of Shah et al. (US 6,243,451)

As per claim 25, Keith and Tang teach the method of claim 24. However, they fail to teach wherein access to different levels of user information are set by a method, the method comprising of the first user selects the level of access available, and thereby the information displayed, to the second user for the plurality of information with respect to the first user, with respect to the plurality of relationship links with each first user contact, and with respect to the plurality of information associated with each first user contact; and

the second user selects the level of access available, and thereby the information displayed, to the first user for the plurality of information with respect to the second user, with respect to the plurality of relationship links each second user contact, and with respect to the plurality of information associated with each second user contact.

Shah et al. teaches a method wherein access to different levels of user information are set by a method, the method comprising of the first user selects the level of access available, and thereby the information displayed, to the second user for the plurality of information with respect to the first user, with respect to the plurality of relationship links with each first user contact, and with respect to the plurality of information associated with each first user contact; and

the second user selects the level of access available, and thereby the information displayed, to the first user for the plurality of information with respect to the second user, with respect to the plurality of relationship links each second user contact, and with respect to the plurality of information associated with each second user contact(col. 11, lines 6-25).

It would have been obvious to an artisan at the time of the invention to include Shah et al.' teaching with method of Keith and Tang in order to restrict the visibility of the user's data.

As per claim 9, which is dependent on claim 1, it is of the same scope as claim 25. (see rejection above)

As per claim 16, Keith and Tang teach the method of claim 15. However, they fail to teach wherein the relationship currency information is an indication of a perceived level of trust.

Shah et al. teaches a method wherein the relationship currency information is an indication of a perceived level of trust (col. 11, lines 6-25).

It would have been obvious to an artisan at the time of the invention to include Shah et al.' teaching with method of Keith and Tang in order to restrict the visibility of user's data.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Keith (US 6,629,097) in view of Tang et al. (US 5,793,365) further in view of Mosquera (US 6,505,202)

As per claim 28, Keith and Tang teach the method of claim 24. However, they fail to teach further comprising interacting with the first and second users through interactive question and answer sessions and modifying the network model based on said interactive question and answer sessions.

Mosquera teaches a method comprises interacting with the first and second users through interactive question and answer sessions and modifying the network model based on said interactive question and answer sessions (col. 6, lines 58-68, col. 7, lines 1-14).

It would have been obvious to an artisan at the time of the invention to include Mosquera's teaching with method of Keith and Tang in order to update user behavior over time.

Claims 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keith

(US 6,629,097) in view of Tang et al. (US 5,793,365) further in view of Megiddo (US

6,559,863)

As per claim 37, Keith and Tang teach the method of claim 29. However, they fail to

teach wherein the second version contains a contact icon that was modified by a second person

associated with the contact icon.

Megiddo teaches a method wherein the second version contains a contact icon that was

modified by a second person associated with the contact icon (col. 5, lines 50-56).

It would have been obvious to an artisan at the time of the invention to include

Megiddo's teaching with method of Keith and Tang in order to update user behavior over time.

As per claim 38, Keith, Tang and Megiddo teach the method of claim 37. Megiddo

further teaches each wherein the contact icon is modified in response to data communications

over a distributed computer network (col. 5, lines 50-56).

Response to Argument

Applicant's arguments filed on 5/25/04 have been fully considered but they are not

persuasive.

Applicant's argument includes the following:

A) Keith fails to teach human relationships or human networking.

A) Keith teaches a human relationship or human networking where each person is

associated to another person based on his/her profession, his/her location, or his/her marital

status. (fig 2. item: concepts, married, fifties)

B) Keith fails to recite "acquires information about a person's attitudes, behaviors and characteristics as specified by input from a human user in relation to human networking with other individual."

B) Keith teaches getting from information regarding age, profession, location, and martial status from each user. (fig 2. item: concepts, married, fifties) Profession and martial status can be considered as behaviors or characteristic of a personal.

C) Keith fails to teach a first relationship link associated with relationship currency information with respect to a personal human relationship between the human user and the first contact.

C) Keith teaches linking two users together based on their human relationship such as father and son, or mother and son (col. 31, lines 22-68; col. 32, lines 26-55).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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